



## COUNCILMEMBER DONNA FRYE

City of San Diego  
Sixth District

### MEMORANDUM

**DATE:** December 3, 2007  
**TO:** Honorable City Councilmembers  
**FROM:** Councilmember Donna Frye  
**SUBJECT:** Tourism Marketing District

The following addresses some of my concerns regarding the adoption of the San Diego Tourism Marketing District Management Plan (TMD Plan) and assessment of taxes for the TMD. As you are aware, I oppose the current TMD Plan and believe we can, and should, provide a TMD Plan that better serves our City and the public. Specifically, it is my recommendation that the City Council support the following:

- Direct the City Attorney to prepare for a January 2008 City Council hearing the necessary legal documents and amendments to the TMD Plan, Municipal Code, such as Section 35.0128, and City Council Policy 100-03 to reduce from 4 cents to 2 cents the amount the City is obligated to use from the Transient Occupancy Tax (TOT) for purposes of promoting the City, and instead direct that the 2 cents be allocated solely for fire stations/vehicles (1 cent) and police stations/vehicles (1 cent);
- Require that at least the same allocation is provided for Arts and Culture as was in 2008 budget (approximately \$6.9 million);
- If it is determined that the change from 4 cents to 2 cents requires a public vote, direct the City Attorney to prepare the necessary documents for the January 2008 meeting of the Rules Committee for placement on the June 2008 ballot. Also direct the IBA to prepare a financial analysis and impact report;
- Amend the TMD Plan (on page 11 as part of Fixed Allocations and any other documents/resolutions as needed) to require that the TMD fund through 2013 a \$5 million annual payment to help offset the debt service lease payment and promotion/ marketing program costs for the San Diego Convention Center Corporation;
- Add language stating that the TMD shall fund the San Diego Film Commission, San Diego Bowl Game Association, SD International Sports Council, San Diego Hall of Champions, Accessible San Diego, Elite Racing/

Rock and Roll Marathon, California State Games and San Diego Crew Classic through 2013 at the same level as 2008/2009 (approximately \$690,000);

- Provide clarifying language on page 5 of the TMD Plan (as part of the City's Promotional Responsibilities) to include the following: a) add Petco Park debt service and maintenance costs, including fire, EMS and police; b) add Qualcomm debt service and maintenance costs, including police, fire and EMS;
- Include on page 6 of the TMD Plan (under the Board of Directors section) language to address a policy of non-discrimination for hiring, contracting, funding decisions and appointments to the board. It is shameful that the proposed TMD Board does not include even one woman board member;
- Amend the language on page 8 of the TMD Plan to include a date (such as each April) stating when the prospective report is due;
- Add language to page 9 of the TMD Plan stating that the City Council and /or Mayor may also propose modifications to the Plan.
- Direct the City Attorney to prepare language to add a definition for the word "*Promotion*" to Municipal Code Section 35.0102. This would be dependent upon the actions of the City Council's vote today.

CC: Honorable Mayor Sanders  
City Attorney, Michael Aguirre  
Independent Budget Analyst, Andrea Tevlin

DF/ks